Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1. (Currently Amended) A method of obtaining expression of an antigen of interest in a mammalian subject, which method comprises transferring into cells of said subject a nucleic acid construct comprising a ~~minimal~~ promoter sequence which is not coupled to its native enhancer sequence and which is operably linked to, and thereby capable of effecting the expression of, a coding sequence for the antigen, whereafter said antigen is expressed in said mammalian cells in an amount sufficient to elicit an immune response to the antigen, and wherein said nucleic acid construct is not in the form of a recombinant virus, and wherein the antigen is an antigen of a viral, bacterial, parasite or fungal pathogen.

Claim 2. (Previously Presented) The method according to claim 1, wherein the construct is delivered directly into a subject.

Claim 3. (Previously Presented) The method according to claim 2, wherein the construct in delivered by injection, transdermal particle delivery, inhalation, topically, intranasally or transmucosally.

Claim 4. (Previously Presented) The method according to claim 3, wherein the construct is delivered by needleless injection.

Claim 5. (Previously Presented) The method according to claim 1, wherein the construct is delivered ex vivo into cells taken from a subject.

Claim 6. (Previously Presented) The method according to claim 5, wherein the subject is a human.

Claim 7. (Previously Presented) The method according to claim 1, wherein the antigen is a full length protein.

Claim 8. (Canceled)

Claim 9. (Canceled)

Claim 10. (Canceled)

Claim 11. (Previously Presented) The method according to claim 1, wherein the nucleic acid construct is coated onto carrier particles.

Claim 12. (Previously Presented) The method according to claim 1, wherein the nucleic acid construct is a DNA construct.

Claim 13. (Currently Amended) The method according to claim 1, wherein the ~~minimal~~ promoter sequence consists essentially of a human cytomegalovirus (hCMV) immediate early promoter sequence, a pseudorabies virus (PRV) early promoter region, a simian cytomegalovirus (sCMV) immediate early promoter sequence or a functional variant thereof.

Claim 14. (Currently Amended) The method according to claim 13, wherein the ~~minimal~~ promoter sequence consists essentially of the sequence spanning positions 0 to -118 of the hCMV immediate early promoter region or a functional variant of the said spanning sequence.

Claim 15. (Currently Amended) Coated particles suitable for use in particle-mediated nucleic acid immunization of a mammalian subject, which particles comprise carrier particles coated with a nucleic acid construct comprising a ~~minimal~~ promoter sequence which is not coupled to its native enhancer sequence and which is operably linked to, and thereby capable of effecting the expression of, a coding sequence encoding an antigen, wherein:

a) said nucleic acid construct is not in the form of a recombinant virus,

b) said nucleic acid construct is capable of expressing said antigen in cells of said subject in an amount sufficient to elicit an immune response to the antigen, and

c) the antigen is an antigen of a viral, bacteria, parasite or fungal pathogen.

Claim 16. (Original) Coated Particles according to claim 15, wherein the carrier particles are tungsten or gold particles.

Claim 17. (Canceled)

Claim 18. (Canceled)

Claim 19. (Canceled)

Claim 20. (Original) Coated particles according to claim 15, wherein the nucleic acid construct is DNA construct.

Claim 21. (Currently Amended) Coated particles suitable for use in particle-mediated nucleic acid immunization, which particles comprise carrier particles coated with a nucleic acid construct comprising a ~~minimal~~ promoter sequence which is not coupled to its native enhancer sequence and which is operably linked to, and thereby capable of effecting the expression of, a coding sequence encoding an antigen, wherein the ~~minimal~~ promoter sequence consists essentially of a human cytomegalovirus (hCMV) immediate early promoter sequence, a pseudorabies virus (PRV) early promoter region, a simian cytomegalovirus (sCMV) immediate early promoter sequence or a functional variant thereof, and wherein said nucleic acid construct is not in the form of a recombinant virus, and wherein said antigen is an antigen of a viral, bacteria parasite or fungal pathogen.

Claim 22. (Currently Amended) Coated particles according to claim 21, wherein the ~~minimal~~ promoter sequence consists essentially of the sequence spanning positions 0 to -118 of the hCMV immediate early promoter region or a functional variant of the said spanning sequence.

Claim 23. (Previously Presented) A particle acceleration device suitable for particle-mediated nucleic acid immunization, the said device being loaded with coated particles as defined in claim 15.

Claim 24. (Cancelled)

Claim 25. (Currently Amended) A vaccine composition for vaccination of a mammalian subject containing a nucleic acid construct comprising a ~~minimal~~ promoter sequence which is not coupled to its native enhancer sequence and which is operably linked

to, and thereby capable of effecting the expression of, a coding sequence for an antigen of ~~interest~~ a viral, bacterial, parasite or fungal pathogen, wherein said nucleic acid construct is not in the form of a recombinant virus and wherein said nucleic acid construct is capable of expressing said antigen in cells of said subject in an amount sufficient to elicit an immune response to the antigen.

Claim 26. (Cancelled)

Claim 27. (Cancelled)

Claim 28. (Previously Presented) The method according to claim 8, wherein the antigen is selected from the group consisting of hepatitis B virus antigen, hepatitis B virus surface antigen, and HIV antigen.

Claim 29. (Previously Presented) Coated particles according to claim 21, wherein the carrier particles are tungsten or gold particles.

Claim 30. (Canceled)

Claim 31. (Previously Presented) Coated particles according to claim 21, wherein the antigen is selected from the group consisting of hepatitis B virus antigen, hepatitis B virus surface antigen, and HIV antigen.

Claim 32. (Previously Presented) Coated particles according to claim 21, wherein the nucleic acid construct is DNA construct.

Claim 33. (Previously Presented) The particle acceleration device according to claim 23, wherein the carrier particles are tungsten or gold particles.

Claim 34. (Canceled)

Claim 35. (Previously Presented) The particle acceleration device according to claim 23, wherein the antigen is selected from the group consisting of hepatitis B virus antigen, hepatitis B virus surface antigen, and HIV antigen.

Claim 36. (Previously Presented) The particle acceleration device according to claim 23, wherein the nucleic acid construct is DNA construct.

Claim 37. (Canceled)

Claim 38. (Currently Amended) The vaccine composition according to claim 25, wherein the antigen is selected from the group consisting of hepatitis B virus antigen~~,~~ and hepatitis B virus surface antigen~~, and HIV antigen~~.

Claim 39. (Previously Presented) The vaccine composition according to claim 25, wherein the nucleic acid construct is DNA construct.

Claim 40. (Currently Amended) The vaccine composition according to claim 25, wherein the ~~minimal~~ promoter sequence consists essentially of a hCMV immediate early promoter sequence, a PRV early promoter region, a sCMV immediate early promoter sequence, or a functional variant thereof.

Claim 41. (Currently Amended) The vaccine composition according to claim 25, wherein the ~~minimal~~ promoter sequence consists essentially of the sequence spanning positions 0 to -118 of the hCMV immediate early promoter region or a functional variant of the said spanning sequence.